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•Practice Limited to
Federal Agencies

March 15, 2004

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Art Unit To Be Assigned

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Re:

U.S. Utility Patent Application

Application No. 10/734,625; Filed: December 15, 2003

For: Lipoxygenase Inhibitors as Hypolipidemic and Anti-Hypertensive

**Agents** 

Inventors:

ALLAN et al.

Our Ref:

1633.0400002/SRL/NJL

Sir:

Transmitted herewith for appropriate action are the following documents:

- 1. Information Disclosure Statement;
- 2. PTO-1449 citing 67 documents; and
- 3. Copies of 40 cited documents; and
- 4. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Sterne, Kessler, Goldstein & Fox PLLc. : 1100 New York Avenue, NW: Washington, DC 20005: 202.371.2600 f 202.371.2540: www.skgf.com



Commissioner for Patents March 15, 2004 Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

Naucy J. Leth

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Nancy J. Leith

Agent for Applicants Registration No. 45,309

SRL/NJL:cpn Enclosures



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Allan et al.

Appl. No.: 10/734,625

Filed: December 15, 2003

For: Lipoxygenase Inhibitors as Hypolipdemic and Anti-Hypertensive Agents Confirmation No.: To Be Assigned

Art Unit: To Be Assigned

Examiner: To Be Assigned

Atty. Docket: 1633.0400002/SRL/NJL

## **Information Disclosure Statement**

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. Copies of documents AR1-AT13 and AL1 are also provided.

Copies of documents AA1 to AD3 are not provided in accordance with the U.S. Patent and Trademark Office pre-OG notice of July 11, 2003, which states "[t]he Office hereby waives the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003."

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may

not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Naucy J. Legn

Nancy J. Leith Agent for Applicants Registration No. 45,309

Date: March 15, 2004

1100 New York Avenue, N.W. Washington, D.C. 20005-3934 (202) 371-2600

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INFORMATION DISCLOSURE STATEMENT	FILING DATE	ART UNIT
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	АТ	4	Cells via Hyperg	lycemia-ind	Mechanisms of Tumor N uced Oxidant Stress-de e American Society for Bi	pendent and -inde	pendent Path	iways," <i>J. Bic</i>
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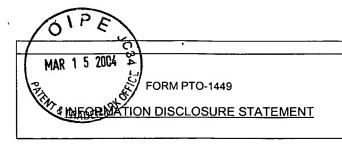
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	AA3	5,	342,952 ——————	08/30/1994	Butler et al.			10/12/1993
	AB3	5,	354,772	10/11/1994	Kathwala			11/24/1993
	AC3	5,	356,896	10/18/1994	Kabadi et al.			12/22/1992
	AD3	5,	489,691	02/06/1996	Butler et al.			05/15/1995
	AE	6,	191,169 B1	02/20/2001	Nadler et al.			11/03/1997
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	AR	<u>3</u>	Das, U.N., "Is Met for Experimental E	tabolic Syndro Biology and Me	me X an Inflammatory Coredicine (December 2002)	ndition," <i>Exp. Bi</i> c	ol. Med. 227:9	89-997, Societ
	AS	3	Feingold, K.R., et 74, Steinkopff Ver		al effects of cytokine induc	ed hyperlipidemi	a," Z. Emähn	ungswiss 37:66
	AT	3	dimethylpropanoid	c acid), a nov	(MK-886) (3-[1-(4-chlorob vel, orally active leukotric al Research Council of Ca	ene biosynthesis	thio-5-isoprop s inhibitor," (	ylindol-2-yl]-2, Can. J. Physic
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EXAMINER INITIAL		DO	CUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
,	AA1	4,2	31,938	11/04/1980	Monaghan et al.			06/15/1979
	AB1	4,2	94,926	10/13/1981	Monaghan et al.			01/23/1980
•	AC1	4,3	19,039	03/09/1982	Albers-Schonberg			08/11/1980
	AD1	4,3	46,227	08/24/1982	Terahara et al.			06/05/1981
	AE1	4,3	93,075	07/12/1983	Terao et al.			03/26/1981
	AF1	4,4	10,629	10/18/1983	Terahara et al.			02/24/1982
	AG1	4,4	44,784	04/24/1984	Hoffman et al.			12/18/1980
	AH1	4,5	37,859	08/27/1985	Terahara et al.			11/18/1982
	Al1	4,6	81,893	07/21/1987	Roth			05/30/1986
	AJ1	4,7	38,986	04/19/1988	Kneen et al.			03/10/1987
	AK1	4,8	20,850	04/11/1989	Verhoeven et al.			07/10/1987
			F	OREIGN P	ATENT DOCUMENTS			
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	AR	1	Ashida, Y., et al. 26:955-972, Elsev		ological Profile of AA-861, A 5- (1983)	Lipoxygena	ase Inhibitor,"	Prostoglandins
	AS	1	Azhar, S., et al., Invest. 96:1414-1	"Alteration of 424, America	the Adrenal Antioxidant Defenso an Society for Clinical Investigatio	e System ( n (1995)	Ouring Aging i	n Rats," <i>J. Clin</i> .
	AT	1	Babu, P.S., and (Curcuma longa) Academic Publish	in streptozo	K., "Hypolipidemic action of cu ptocin induced diabetic rats," <i>M</i> e	rcumin, the	e active princ ochem. 166:1	iple of turmeric 69-175, Kluwer
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ATTY. DOCKET NO.

1633.0400002/SRL/NJL

FIRST NAMED INVENTOR
Allan et al.

FILING DATE
December 15, 2003

APPLICATION NO.

10/734,625

ART UNIT
To Be Assigned

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INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
· · · · · · · · · · · · · · · · · · ·	AA2	4,911,165	03/27/1990	Lennard et al.			12/12/1988
•	AB2	4,916,239	04/10/1990	Treiber			07/19/1988
	AC2	4,929,437	05/29/1990	Tobert			02/02/1989
-	AD2	5,030,447	07/09/1991	Joshi et al.			03/31/1988
	AE2	5,081,138	01/14/1992	Gillard et al.			12/09/1987
	AF2	5,118,853	06/02/1992	Lee et al.			02/26/1991
	AG2	5,177,080	01/05/1993	Angerbauer et al.			11/26/1991
	AH2	5,180,589	01/19/1993	Joshi et al.			05/20/1991
	Al2	5,189,164	02/23/1993	Kapa et al.			02/20/1990
	AJ2	5,273,995	12/28/1993	Roth			02/26/1991
	AK2	5,290,946	03/01/1994	Lee et al.			11/23/1992
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	AR	Bantle, J.P., <i>et al</i> 72:1128-1134, Ar	., "Effects of d nerican Society	lietary fructose on plasma l y for Clinical Investigation (2	ipids in healthy 2000)	/ subjects," A	m. J. Clin. Nutr
	AS		Anaphylactic	Effects of a Novel Series and Inflammatory Responsences (1988)			
	АТ	Brindley, D.N., et Phosphohydrolas Biochemical Soci	e and the Syr	olvement of Glucocorticoids athesis of Triacylglycerols in	in Regulating n the Liver, <i>Bi</i>	the Activity o	f Phosphatidate 0: 195-199, The
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ATTY. DOCKET NO. 1633.0400002/SRL/NJL

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FIRST NAMED INVENTOR

Allan et al. FILING DATE

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December 15, 2003

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	AR	<u>5</u>	Hallfrisch, J., "Me Societies for Expe		of dietary fructose," <i>FASEB</i> gy (1990)	J. 4:2652-2	660, Federati	on of American
	AS	<u>5</u>	Hammes, HP., prevents experime 2003)	et al., "Benfo ental diabetic	tiamine blocks three major pretinopathy," <i>Nat. Med. 9</i> :294	pathways of 299, Nature	hyperglycemi Publishing C	c damage and ompany (March
	АТ	<u>5</u>		ndrome in the	itudy of C-Reactive Protein in Mexico City Diabetes Study, r 2002)			
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	AR	<u>6</u>	Hirosumi, J., et a Nature Publishing		role for JNK in obesity and ins vember 2002)	sulin resis	tance," <i>Natur</i>	e <i>420</i> :333-336,
	AS	<u>6</u>	Inoue, I., et al., "E Synthase Activity, Company (1995)	ffect of Troglita and β-Oxidat	azone (CS-045) and Bezafibrate ion in Fructose-Fed Rats," <i>Meta</i>	on Gluco: abolism 44	se Tolerance, 4:1626-1630,	Liver Glycogen W.B. Saunders
	АТ	<u>6</u>	Jonkers, I.J., et a Inflammation: Rev 275-280, Excerpta	ersal with Bez	pertriglyceridemia with Insulin R rafibrate Therapy in a Randomiz (March 2002)	esistance ed Contro	Is Associated olled Trial," <i>Ar</i>	d with Systemic m. J. Med. 112:
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**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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	AR	7 Phosphatidate P	hosphohydr	I of Hepatic Triacylglycero colase Activity and in the chem. J. 180: 441-443, The E	Concentrations	of Circulati	
	AS			renal Neutral Cholesteryl ces," <i>Endocrinol. 143</i> :801-80			
	АТ	Overproduction in Evidence That re	n an Animal duced Hype	ment With Atorvastatin Ame Model of Insulin Resistand ertriglyceridemia Is Accompa B. Saunders (April 2002)	e, the Fructose-	Fed Syrian G	olden Hamste

**EXAMINER**: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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	AR <u>8</u>	3	McIntosh, M., et a	al., "Opposing	Actions of Dehydroepiandroster ciety for Experimental Biology a	one and (	Corticosterone ne (1999)	in Rats," <i>Proc</i> .		
	AS <u>8</u>	3	Medicherla, R., et al., "Impaired activation of AP-1 and altered expression of constituent proteins in rat adrenal during ageing," <i>Mech. Aging Dev.</i> 122:1169-1186, Elsevier Science Ireland Ltd. (June 2001)							
	AT <u>8</u>	3	Memon, R.A., <i>et</i> Triglyceride Metab	al., "Tumor No polism in Mice,"	ecrosis Factor Mediates the Ef " <i>Endocrinol. 132</i> :2246-2253, Th	fects of E ne Endocri	ndotoxin on ( ne Society (19	Cholesterol and 993)		
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	AS	9	Okamoto, T., et a cerivastatin," FAS (December 2002)	SEB J. 16:	enesis induced by advance 1928-1930, Federation of	ed glycation end pi American Societi	roducts and it es for Experi	s prevention by imental Biology
, ,	AT	9	Park, OJ., et al 282:753-757, The		isms of fructose-induced al Society (1992)	hypertriglyceridaer	mia in the ra	t," <i>Biochem.</i> J
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**FORM PTO-1449** 

INFORMATION DISCLOSURE STATEMENT

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	AR 10 Radmark, O., et al., "The Inhibitory Effects of BW 755C on Arachidonic Acid Metabolism in Huma Polymorphonuclear Leukocytes," FEBS Lett. 110: 213-215, Elsevier/North Holland (1980)								
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	АТ	10	Scribner, K.A., et Induced Hypertrig	<i>al.</i> , "Masopro lyceridemia,'	ocol Decreases Seru ' <i>Metabolism 49</i> :110	ım Triglyceride ( 6-1110, W.B. Sa	Concentraunders	ations in Rats Company (20	s With Fructose- 00)
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	АТ	<u>12</u>	Phospholipase A	<sub>2</sub> -linked Ca	Necrosis Factor-α Genera ascade," <i>J. Biol. Chem.</i> Biology, Inc. (2000)	ates Reactive Oxy 275: 32357-32362	gen Species , The Ameri	via a Cytosol can Society f
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	AS	<u>13</u>	Yuan, M., et al., "I Disruption of Ikkß (August 2001)	Reversal of C s," <i>Science</i> 2	Obesity- and Diet-Induc 193:1673-1677, Americ	ed Insulin Res an Association	sistance on for th	with Salicyla ne Advancem	tes or Targeted lent of Science	
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